



City of Somerville

# **ZONING BOARD OF APPEALS**

City Hall 3<sup>rd</sup> Floor, 93 Highland Avenue, Somerville MA 02143

## **MINUTES**

**Wednesday, July 15, 2020 at 6:00 pm**

**GoToWebinar**

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. C. 30A, s. 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, as well as Mayor Curtatone's Declaration of Emergency, dated March 15, 2020, this meeting of the Zoning Board of Appeals will be conducted via remote participation. We will have an audio recording available upon request as soon as possible after the meeting.

Board Members present: Susan Fontano (Chair), Danielle Evans (Clerk), Josh Safdie, Elaine Severino, Anne Brockelman, Drew Kane (Alternate)

Board Members absent: none

City staff present: Charlotte Leis, Rebecca Cooper

Meeting was opened at 6:10pm.

## **GENERAL BUSINESS**

Ms. Evans made a motion to approve the June 10, 2020 minutes as submitted. Ms. Severino seconded. The Board took a roll-call vote: Anne Brockelman - aye; Danielle Evans - aye; Susan Fontano - aye; Josh Safdie - aye; Elaine Severino - aye. Motion passed 5-0.

Ms. Evans made a motion to approve the June 24, 2020 minutes as submitted. Ms. Severino seconded. The Board took a roll-call vote: Anne Brockelman - aye; Danielle Evans - aye; Susan Fontano - aye; Josh Safdie - aye; Elaine Severino - aye. Motion passed 5-0.

Chair Fontano noted that this would be Drew Kane's last meeting as a Board member. The Board expressed their appreciation of Mr. Kane and everything he has brought to the Board.

## **PUBLIC HEARINGS**

**DRA2020-0052** (continued from June 24, 2020)  
345 Medford St

Ms. Leis said that the Applicant had submitted a written request to continue the case to August 19, 2020. Ms. Cooper explained that she had advised the applicant to continue to the September 16, 2020 ZBA meeting as that would allow the City Council to meet about the map change request for Gilman Square that would rezone this property from MR4 to MR6. The applicant wanted to continue only to the August 19<sup>th</sup> meeting, but it is unclear to staff as to why they wanted to go to the ZBA again before the Council can consider the map change.

Chair Fontano reminded the Board that applicants can request a continuance to any meeting, but the Board does not have to approve it. She noted that no one from the application team was at the meeting tonight, and that the

Board might have had questions that the applicant team could answer. She doesn't want to waste the Board's time.

Staff explained that it was up to the Board's discretion as to whether they accept the request to continue to the August 19<sup>th</sup> meeting or if they continue to some other date. The Board did not want to continue to August 19<sup>th</sup> meeting, and discussed the merits of September 2<sup>nd</sup> vs. September 16<sup>th</sup>. The Board concluded that they would continue to September 16<sup>th</sup>.

Ms. Evans made a motion to continue the case to September 16, 2020. Ms. Severino seconded. The Board took a roll-call vote: Anne Brockelman - aye; Danielle Evans – aye; Susan Fontano - aye; Josh Safdie - aye; Elaine Severino - aye. Motion passed 5-0.

**40B2020-001** (continued from June 24, 2020)  
34 North St (Clarendon Hill)

Cory Mian, applicant, introduced the rest of the development team and provided an overview of what topics would be discussed tonight.

Ms. Mian began by addressing accessibility on the site. She noted the grade challenges of the site, and directed the Board's attention to a plan showing in where they could provide routes within the 5% maximum grade versus where they cannot. They will need a waiver from MAAB for any areas they cannot achieve the 5% grade on, but they do have an accessible route through the site.

Ms. Mian then addressed parking. She noted that since the first iteration of this project, they have reduced the amount of surface level parking and increased the amount of open space, but that they have not been able to further reduce it since the last ZBA meeting. She explained that there was a minimum amount of parking (113 spaces) that the team had committed to providing for the residents in a written agreement with the current property tenants. Because of that commitment, they cannot reduce the parking beyond what they have already done.

Ms. Mian discussed the scale of the park and access to/from site. Grass in central park will have enough space for people to kick balls around, even if not enough space for a full-sized soccer field. Discussed the variety of open spaces within a 5 or 10 minute walk of the site.

Ms. Mian also addressed the Board's earlier question of crossing Alewife Brook Parkway. The current intersection of Alewife / Powderhouse is difficult to navigate on foot, biking, or driving. City and applicant team applied and received a MassWorks grant to redesign the intersection. It's a state road and they do not anticipate being able to receive approval to add a third signal between the Broadway and Powderhouse intersections.

Ms. Mian addressed stormwater. The site was built in 1949 and the current site has no stormwater management on the site. All of the improvements that are shown for the new development will greatly improve the site in terms of overall drainage and stormwater management.

Ms. Mian then ran through some other questions they had heard from the Board and from Councilor Ballantyne at previous meetings. They added an addendum to their traffic study addressing current conditions. They are withdrawing their playground size waiver and the waiver from LEED Platinum for the 3 apartment buildings. They will comply with the City's Tree Preservation Ordinance.

Michelle Apigian (Icon Architecture) said they will easily meet the green score for the project despite the site being parcelized. Regarding LEED, they began with v4 but are now using v4.1; that change has allowed them to achieve enough additional points to get to LEED Platinum. She spoke to the key aspects of LEED platinum and what they will do to get to them. Discussed bike storage, reflective roofs/reflectivity, heat islands, bio-retention areas, dark skies, water efficiency (native plants, low-flow/efficient appliances, water metering), committed to doing all-electric, looking at doing renewable energy, do whatever than can to do low VOC and as much recycling of

materials as possible, continuous ventilation, acoustic separation. Some of these points are “maybes” but know the buildings will be able to achieve enough points to reach LEED Platinum.

Chair Fontano asked for public comment. Ms. Leis reminded the public how to notify staff that they wished to speak.

Trevor Samios (6 Hamilton Rd) representing condo association of 2-8 Hamilton Rd. Supports project. Type of development Somerville needs.

Tori Antonino (65 Boston Street) thinks is an excellent project and congratulates applicants for meeting all of Katjana Ballantyne’s requests.

Aaron Webber (32 Summit Avenue) said project is important; people in the current housing need it. Approve without delay.

Ariel White (11 Hinkley Street) supports project.

Christopher Allen (435 Washington Street) supports project.

George Schneeloch (81 School St Apt 1) supports project.

Jeff Byrnes (294 Summer Street) supports project.

John Marc Imbrescia (51 Ossipee Road) supports the development.

Karina Wilkinson (35 Hawthorne St) is pleased that the LEED platinum waiver request was withdrawn. Wanted to know if there had been any update on the gas pipeline.

Ms. Leis reminded the Board that it is not the City or the ZBA’s responsibility to ensure that the pipeline operator is complying with state or federal laws. The Applicant is required to notify the gas pipeline owner of the project, but it is the pipeline owners’ responsibility to ensure they are complying with all applicable regulations. Ms. Mian reminded the Board that at the last meeting she had shown images of where the pipeline runs and that it does not run under the site. They have reached out to the pipeline owner but have not heard back.

Erin Evans (221 Powderhouse) supports project.

Meredith Elbaum (6 Bigelow St) is pleased about LEED platinum and commended applicant as it is hard to get to.

Ms. Leis asked Chair Fontano if she should prioritize people who haven’t spoken at prior meetings. Chair Fontano said to give preference to people who have not spoken before. She noted that people who have issues should also speak, not just if they are in favor.

Sonia Rosa (268 Powderhouse Blvd) asked the ZBA to go through with the project. No humans should live in such conditions.

Tom Lamar (17 Cross Street) is In support of the project. Pleased with safety improvements along Alewife Brook Pkwy.

Virginia Keesler (2 Oak Terrace) supports project.

Letissia Scott (Clarendon Hills resident) is co-president of the tenant’s association. Thanks development team and supports project. Has problems with rust in her water. If you run the water it will go away. But she has to run the

water before taking a shower so that she doesn't get rust on her skin. No one should have to deal with that. Is grateful to have a home but they are not great conditions to be living under. Tenants really need this project.

Jason Jong (33 Newbury Street) enthusiastic support for project.

Jessica Turner (Clarendon Hills resident) is co-president of Clarendon Hills tenant's association. Re-iterates support for project. With COVID the air problems that they have at Clarendon is magnified.

Ariella Cohain (35 Waterhouse St) supports project.

Chair Fontano thanked everyone who spoke for their comments. Thanked applicant team. Closed the public portion of the hearing for the night. Took questions/comments from the board.

Ms. Severino asked about the use of native plants to minimize irrigation. How is it such a big water reducer? Ms. Apigian said there is a general understanding that native plants need less water. Andrew Arbaugh (landscape architect on team) said that native plants require some irrigation, but they are slightly more adaptable and able to better handle climate fluctuations that happen in this area than plants introduced from other areas of the world.

Ms. Severino asked about the landscaping in other places this organization has managed. Noted there's a lot of dead stuff at Assembly Row, and not due to construction. Mr. Arbaugh said Assembly is a much more heavily trafficked area, and that several parts of Assembly are still under construction. It's a private developer maintaining it, which is different. Noted that it's in the best interest of the Clarendon Hills developer to ensure that the green space is maintained.

Ms. Evans asked if there were any changes made to the surface parking on Thoroughfare 3. Ms. Mian said there have not been changes since the last hearing. Ms. Evans appreciates the changes made from the original design. Said she is overall very supportive of and excited about the project. Does not want anyone to doubt that she is supportive.

Mr. Safdie appreciates the efforts to solve some of the accessibility problems. The improvements will help when the time comes to seek variances from the MAAB. Is not fully comfortable with the furnishing zone width, as it is too narrow in most places for someone in a wheelchair to fully pull out of the walkway.

Ms. Mian said that the 3' furnishing zone and 5' walkway is true throughout most of the site. They might have the ability to expand to 4' furnishing and 6' walkway within the central park area, but will have to work with the Engineering Dept.

Ms. Leis noted that staff is working on a conditions list and that a condition related to this can be included in the list to be reviewed by the ZBA.

Ms. Brockelman is happy to see the LEED Platinum waiver request withdrawn. Explained for members of the public the difference between "yes" and "maybe" LEED credits. Appreciates that the lift from the A/B Plaza is well integrated into the building architecture. Also appreciated the flow of the presentation tonight; asked that the applicant continue to group and address waivers in this manner moving forward.

Mr. Kane thinks it's an excellent project and that it means a lot to the residents and the community at large. Appreciates the enlargement of open space. Thinks it would be great to get beyond the 3/5 ratio for sidewalks; those are narrow given the scale of the site and buildings. Size of tree planting pits is not optimal for tree growth.

Ms. Leis noted that she would put together a list of all votes that the ZBA needs to take for the next meeting. She noted that the major finding for this project is that it is consistent with local needs.

Chair Fontano noted that the Board had received emails from Councilors Niedergang and Ewen-Campen in support of the project and recognized Councilor Ballantyne.

Councilor Ballantyne said that she is in total support of the project and has heard only support from the neighborhood as well. She appreciates that the project is thinking about the future in terms of sustainability. The project is wonderful for the residents who are living in difficult housing stock now. The development team and Icon Architects have worked very hard to get the project to where it is; residents have attended 4 years of community meetings to help shape this project. She noted that the City is contributing \$10M to this project and hopes that when the City Council discusses that issue the ZBA will have already voted to approve this project. The next Council meeting is August 27<sup>th</sup>.

Chair Fontano thought that it was very moving that there were no sour opinions about this project from people in the neighborhood; everyone who spoke expressed care and compassion for their fellow citizens. She's proud of everyone she has worked with on this and felt that this is a project to be proud of.

Ms. Evans expressed a desire to see Thoroughfare 3 further refined and asked whether the team could use a different color material for the parking spaces versus the drive aisle in order to make it look less like a parking lot. She understands the need for parking spaces in front of the townhouses and doesn't want to take those away; this issue is not major enough to stand in the way of the project but wants to see if tweaks can be made.

Ms. Mian said that have worked with the Mobility Division to make this area as efficient as possible; considered making it a one-way street, but that didn't work with site traffic flow. They have included spaces for standard and compact cars.

Kendra Halliwell (Icon Architects) said they have committed to porous materials in parking spaces and can look at using a variety of material colors to minimize visual width of roadway.

The Board discussed next steps for this project. Ms. Leis noted that staff are working as diligently as possible to get conditions ready for the next meeting, but cannot guarantee anything, as multiple divisions are involved in creating the list and staff are unusually busy due to COVID. Chair Fontano thanked Ms. Leis and said she knew that staff work hard and will do their best.

Ms. Evans made a motion to continue the case to August 5, 2020. Ms. Severino seconded. The Board took a roll-call vote: Anne Brockelman - aye; Danielle Evans – aye; Susan Fontano - aye; Josh Safdie - aye; Elaine Severino - aye. Motion passed 5-0.

Ms. Evans made a motion to adjourn. Ms. Severino seconded. The Board took a roll-call vote: Anne Brockelman - aye; Danielle Evans – aye; Susan Fontano - aye; Josh Safdie - aye; Elaine Severino - aye. Motion passed 5-0.

Meeting adjourned at 8:30pm.